

Liber P C six millrays which he lent the Complt to repayre his shipp Providence which he must pay to Nethway with Ten ꝑ Cent. ꝑ ann. till the money was Repaid according to the Custome of ffyall with Two paps the defend^t said were Lost or unjustly taken from this Defend^t Togeather with a L^re and a Bill wherein the Complt stood Indebted to a Dutchman in Delaware in a Quantity of Tobacco And the

p. 38 Defend^t Confessed the account given to the plt was not a perfect account The defend^t then being Sicke and could not Attend the pusall of his papers but is now willing to Give this Court a more perfect accompt which he did Annex to his answer and saith his own Sloop was Hyred out a ffortnight which he charges but at seaven hundred pounds of Tobacco ꝑ moneth and he never had lesse than Eight hundred pounds of Tob ꝑ moneth. And that he did Hyre Coopers and Provide new Casque. Denyes he sold any wyne at under Rates or for lesse than he had sufficient Order and without any Private Interest to himselfe. Denyes his servants with his privily did make use of the Key of the store to drinke the wyne, but he finding the Locke Injured put on a new one and built a new Roome to preserve the wyne and put one to Lye there to secure the wyne, sayes he sold but five barrells to Browneing and not ffourteene as in the bill is falsely Alleadged which was part of the ffourteene Barrells the Defend^t tooke to his perticular Account. As for the twelve Gallons sold to Measure and the Rest they were all Charged to the account sold to Samuell Groome. Denyes he Reserved to himselfe any wyne not Charged to account, which was not allowed in the account after the last of July save onely a small parcell which he had in his Celler for the entertayneing the plt and others that came to buy wyne. Thereby to Avoyd trusting a serv^t into the wyne house. In the tyme this Defend^t was at meate Denyes he ever received any order not to sold the wyne und^r Two Thowsand five hundred pounds of Tobacco ꝑ pipe But sold the same according to the best of his skill and ffollowed the plts order who was glad to have them sold upon any Condi^on they beeing poore small wyne and apt to fade being Rackt, Knowes nothing of any dead ffraight due but if any the plt ought to pay the same the Defend^t haveing delivered Bills to the plt for Twenty Two Thowsand seaven hundred & Eighteene pounds of Tob being part of the produce of the said wyne. Denyes he Converted any of the Tobacco Reced to his owne use. Denyes also that ever he denied to shipp what he Received but did shipp the same as the same was received as by Account appears. Saith he heareing the plt was Intended to deprive M^r Nethway of the produce of the said wyne and to goe for Holland he refused to deliver him the Bills menc^oned as it was Lawfull for him to doe he being intrusted by nethway as afforesaid. But is Ready to deliver the same into this Court or give security to have the same forthcomeing if the Complt would give security for the Twenty Two Thowsand seaven hundred